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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,367	09/25/2003	Hironori Hosoda	8043-1018	3375
466	7590	11/27/2007		
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			EXAMINER TANG, KAREN C	
			ART UNIT 2151	PAPER NUMBER
			MAIL DATE 11/27/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/669,367

Applicant(s)

HOSODA ET AL.

Examiner

Karen C. Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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- This action is responsive to the amendment and remarks file on 10/31/07.
- Claims 10 and 11 are presented for further examination.

### **DETAILED ACTION**

#### ***Response to Arguments***

Applicant's arguments, see Page 9, filed 10/31/07, with respect to Claim 1 have been fully considered and are persuasive. The rejection of Applicant's arguments, see Page 9, filed 10/31/07, with respect to the rejection(s) of claim(s) 10 under DeBeer have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Motomura in view of Pu et al hereinafter Pu. .

#### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pu et al hereinafter Pu (US 2001/0056325) in view of Motomura (EP 1209863).

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1. Referring to Claim 10, Pu disclosed a wireless LAN driver (wireless phone/navigation computer has processors, in the wireless network refer to 0021, and 0043), and a wireless LAN hardware module (wireless apparatus provides network communication, therefore it has the LAN hardware module to established the communication, local network, 0043); wherein said driver and hardware module are arranged to (a) obtain a time zone within which the system is located from a date and time property of an operating system (OS) of the system in response to a country update request from a user of the system (utilizing GMT and GPS to obtain the current time, refer to 0024, 0119 and 0120), Although Pu disclosed the invention substantially as claimed, Pu is silent regarding (b) retrieve a list of countries in the time zone within which the system is located, (c) permit the user of the system to select a present-location country from the list of countries retrieved, (d) retrieve communication channel and transmission power settings for the present-location country from a table, (e) set the communication channel and the transmission power in the system based on the retrieved settings to enable communication in the present-location country. Motomura, in an analogous art disclosed (b) retrieve a list of countries in the time zone within which the system is located (time zone is obtained by the GPS, and according to the GPS, and time zone, the countries is listed, refer to 0034 and 0038), (c) permit the user of the system to select a present-location country from the list of countries retrieved (refer to 0048), (d) retrieve communication channel and transmission power settings for the present-location country from a table (the network communication channel and transmission power/frequency setting is corresponds to the country code, so when select the country, is corresponding to select the transmission power, refer to 0048), (e) set the communication channel and the transmission power in the system based on the retrieved settings to enable communication in the present-

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location country (only the proper power settling would allow the communication to establish).

Hence, providing features disclosed by Motomura, would be desirable for a user to implement wireless data communication using Bluetooth with various other electronic apparatuses, and therefore, provides conveniences for user so that user doesn't have to adjust the operating frequency every time the electronic apparatus crosses a border although different countries have different usable frequency bands. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Pu by including the features presented by Motomura.

2. Referring to Claim 11, although Pu disclosed the invention substantially as claimed, Pu is silent regarding wherein the system whether the present-location country employs frequency hopping (FH) or DS-SS.

Motomura, in an analogous art disclosed wherein the retrieved settings define whether the system employs frequency hopping (FH) or DS-SS (refer to Fig 6A, 6B, and 6C)

Hence, providing feature disclosed by Motomura, would be desired for a user to implements wireless data communication using Bluetooth with various other electronic apparatuses, and therefore, provides conveniences for user so that user doesn't have to adjust the operating frequency every time the electronic apparatus crosses a border although different countries have different usable frequency bands.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Motomura by including the feature provided by Motomura.

*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).

Shaffer et al (US 6,600,817) "Method and Apparatus for monitoring communication connections within and across time zone" discloses a method and a system monitor communication connections from a calling communication terminal to a target communication terminal during predetermined time periods.

Raith (US 6,625,457) "Mobile terminal with location database" discloses a mobile terminal includes a positioning receiver and a memory containing a location database.

Chung (US 7,069,020) "Automatic Time setting method of asynchronous mobile communication terminal" discloses a way to find the time differences between two areas.

Ito et al (US 2002/0181333) "Portable terminal apparatus having automatic adjustment function for time difference" discloses area location information on a base station received by a receiver is identified by an area location identification section and an identification result is output to a time controller.

**Examiner's Notes:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (571)272-3440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KT

  
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